

Comment Letter AL049

Sent By: CITY OF SANTA FE SPRINGS;

5628687112;

Aug-26-04 9:44;

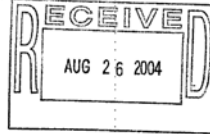
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AL049



11710 Telegraph Road • CA • 90670-3679 • (562) 868-0511 • Fax (562) 868-7112 • www.santafesprings.org

August 25, 2004



California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Attn: California High-Speed Train Draft
Draft Program EIR/EIS Comments

Ladies and Gentlemen:

On behalf of the City of Santa Fe Springs I would like to echo the comments embodied in a letter mailed to your agency on August 18, 2004 by the Gateway Cities Council of Governments regarding the Draft Program EIR/EIS (copy attached).

The comments submitted by the Gateway cities Council of Governments highlight local impact issues which conflict with the overall conclusions in the EIR/EIS.

We join the Gateway Cities Council of Governments in urging you to acknowledge those local effects as raising the level of potential impact to a significant level, rather than deferring such conclusions to the more detailed analyses in the future.

We respectfully request that those locally significant impact issues be acknowledged in the final EIR/EIS.

If you have any questions, please call Don Jensen, Director of Public Works, at 562-868-0511.

Sincerely,

Frederick W. Latham
City Manager

Attachment
FWL/ms

cc: Mr. Don Jensen, Director of Public Works

AL049-1



GATEWAY CITIES
COUNCIL OF GOVERNMENTS

Artesia
Avalon
Bell
Bellflower
Bell Gardens
Cerritos
Commerce
Compton
Cudahy
Downey
Hawaiian Gardens
Huntington Park
La Habra Heights
La Mirada
Lakewood
Long Beach
Lynwood
Maywood
Montebello
Norwalk
Paramount
Pico Rivera
Santa Fe Springs
Signal Hill
South Gate
Vernon
Whittier
County of Los Angeles
Port of Long Beach

August 18, 2004

California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: California High Speed Train Draft EIR/EIS

Ladies and Gentlemen:

On behalf of the Gateway Cities Council of Governments representing 27 cities in southeast Los Angeles County, we are submitting the comments which follow for consideration by the California High-Speed Rail Authority (Authority) and the Federal Railroad Administration (FRA or Administration). This project envisions a statewide High-Speed Train System (HSTS) of which a small segment (the northern portion of the Los Angeles to San Diego HSTS) would pass through several of the Gateway Cities along one of two existing track alignments (Union Pacific Railroad (UPRR) and Burlington Northern Santa Fe Railway Company (BNSF)). The following comments are submitted on behalf of the Gateway communities and reflect the primary concerns of our members regarding the potential effects of the HSTS project extending through our communities.

After reviewing the extensive HSTS alignment review alternatives through the Gateway Cities area, the EIR/EIS identified two alternative alignments through our area of concern. These proposed HSTS alignments pass through the Cities of Pico Rivera, South Gate, Downey, Santa Fe Springs, Norwalk, La Mirada and unincorporated territory in the County of Los Angeles. The LOSSAN Corridor, which occupies the BNSF track alignment through our communities, is identified as one alternative alignment for HSTS (Page 2-90). This alignment would be "incrementally" upgraded to meet the

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www.gatewaycog.org

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high-speed rail requirements through this segment of the alignment. Descriptions in the EIR/EIS are not absolutely clear as to whether three tracks would be sufficient or whether four tracks would be required. Further, it is not clear whether the new HSTS track would be placed in a trench (one alternative) or would be installed at grade. These issues and their associated impacts need to be clarified in the final document because they will play a major role in the more detailed evaluations in the future for this alignment.

The UPRR Santa Ana Branch Line is identified as a second alternative. This alignment closely follows the Interstate 5 Freeway. Unlike the BNSF alternative route, which must be shared with existing commuter rail operations, the UPRR route is identified as a "dedicated" route. However, it is not clear whether this dedicated HSTS track would be one or two tracks additional tracks, and whether it will be at grade or elevated. Ultimately these design requirements will play a major role on the level of impact on Gateway communities and they need to be clarified in the final document.

We also have concerns about the impact of widening the Santa Ana Freeway (Interstate 5, I-5) as part of the Modal Alternative. Any use of the UPRR corridor would need to take into consideration the changes in rail right-of-way and track alignment that will be needed to accommodate the widening of the I-5 freeway in the future. Elements of that project are already under design and the State expects to begin construction in 2008. The net result of these plans is that any widening of I-5 is likely to have a more adverse impact on property take than portrayed in the EIR/EIS. Additional information regarding the potential effects of current I-5 widening plans and the UPRR corridor should be provided in the final document.

One of the problems inherent in preparing a document for a state-wide project like the HSTS is the very broad level of information that must be used to evaluate such a project's impacts, particularly when several alternatives are being considered. This is especially apparent in the discussions of land use, communities and neighborhoods, property and environmental justice. The evaluations contained in the EIR/EIS are simply too general to be meaningful. Perhaps the best example of this problem is the discussion regarding property and environmental justice in Subchapter 3.7. Discussions on pages 3.7-10 through 3.7-12 characterize the land uses in the Gateway Cities communities as an "highly urbanized mix", excludes the land uses adjacent to the LOSSAN corridor from experiencing community cohesion impacts; and concludes that, by

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California High Speed Rail Authority
August 18, 2004

locating the proposed HSTS tracks within an existing transportation corridor, environmental justice issues are "generally" reduced to a less than significant impact level.

We do not concur with these conclusions and feel strongly that the data supporting the conclusions ignores the actual effects that the HSTS tracks will have on our member cities. For example, the EIR/EIS ignores the fact that a third main track is being installed along the LOSSAN on the BNSF tracks to serve commuter train and freight operations. This means that a fourth track must be installed on the LOSSAN corridor if it is selected. The BNSF right-of-way does not have space for a fourth track which automatically means that substantial property acquisition will be required along this alignment. The effect of this acquisition is ignored in the EIR/EIS. Significant property takes will be required, much of it within residential neighborhoods in Pico Rivera and unincorporated Los Angeles County, adjacent to Santa Fe Springs. Further, these residential areas are comprised of older homes occupied by low income minority and elderly residents. The requirement to take such properties will have significant effects on land use compatibility, property and environmental justice issues for Gateway Cities along the LOSSAN alignment and these impacts have been either down-played or dismissed in the EIR/EIS as "generally" less than significant impacts.

Additionally, in conjunction with the BNSF third-track project, the cities of Pico Rivera, Santa Fe Springs and La Mirada are proceeding with plans to construct grade separations at various locations within the LOSSAN corridor. These grade separations were identified and engineered prior to finalizing the HSTS Draft EIR/EIS. However, the EIR/EIS fails to address the impact of the LOSSAN alternative on the grade separations (individually or collectively) and it ignores the potential for these improvements to be adversely affected if the LOSSAN alternative is used and a fourth track is placed adjacent to the existing tracks. Given the substantial benefits to our communities from these grade separations and the substantial funds that will be used to implement them, the final EIR/EIS must address this issue.

The same concerns, albeit to a lesser extent due to the higher proportion of industrial and commercial uses, occur along the UPRR Santa Ana Branch Line. Again, the corridor is too small for the HSTS tracks to be installed without adversely affecting land owners, many of them minorities. Land use compatibility effects along with property and environmental justice issues should also be identified as significant along this corridor for Gateway communities.

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Comment Letter AL049 Continued

California High Speed Rail Authority
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We believe that the proposed HSTS project will result in disproportionate effects on minority and low-income residents of our communities, which in turn will result in significant environmental justice effects of the proposed project, regardless of the alignment selected through our region. However, before identifying a preferred route through the Gateway Cities communities, it will be essential to compile more detailed, site specific data regarding the land use compatibility, property, and environmental justice issues. The amount of data available in the EIR/EIS is not yet sufficient to make a decision regarding which corridor should be selected through our area and such selection must be deferred to the future when such data have been compiled.

In reviewing the other specific topics in the EIR/EIS, we have some comments regarding the analysis and conclusions contained in several of the subchapters. For example, in Subchapter 3.11, Hazardous Materials and Wastes, the method of analysis does not provide sufficient data to make judgments regarding future encounters with contaminated areas. The analysis relies upon known or identified contaminated locations. We suggest that in addition to this limited data set, the analysis should include a review of historical land uses along the various HSTS track alignments. In Santa Fe Springs and immediately adjacent areas, historic oil production has created a potential for encountering unknown contaminated areas from poor practices in managing spills from old oil wells. Thus, this historic use poses an additional potential for contamination. Similar problems may exist in other portions of Los Angeles and for areas of the San Joaquin Valley. Some evaluation of land tenure patterns should be included in the final EIR/EIS to identify additional areas with a higher potential for contamination.

In Subchapter 3.4, Noise, there are assumptions that noise impacts for HSTS tracks within existing rail or traffic corridors will not cause significant noise impacts on the adjacent communities. We do not concur with this conclusion. The HSTS tracks, regardless of whether they are installed at grade or elevated through Gateway communities, will expand the areas impacted by noise corridors, i.e., additional sensitive noise receptors will be exposed due to expanded noise contours above 65 dBA CNEL or Ldn adjacent to such corridors. The noise analysis in the EIR/EIS primarily focuses on comparison of alternatives without discussing the expansion of such noise impacted areas along the HSTS tracks. As a screening tool, the final EIR/EIS should include data that discusses the amount of additional sensitive noise receptors that may be exposed to incompatible noise levels. This is essential to identify future property takes and

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California High Speed Rail Authority
August 18, 2004

adequate buffers. Also note that substantial reliance is made in the EIR/EIS on sound walls to attenuate the cumulative increase in noise. Sound walls for rail operations do have some limitations for the following reasons. First, sound walls serve as visual and physical barriers that may cause significant divisions in our communities. Second, sound walls reflect sound and may cause incrementally more significant impacts in the direction opposite the wall. Finally, such walls in urban communities can result in significant visual blight due to graffiti and interference with local views. CEQA requires a discussion of environmental consequences of proposed or suggested mitigation and these issues are not addressed in the EIR/EIS.

Regarding electromagnetic fields (Subchapter 3.6), the overall analysis indicates that impacts from the HST system will not cause significant increase in exposure to unhealthy impacts. However, it is not yet clear whether an electric system will be installed through the Gateway communities or whether the electric system will be elevated, overhead catenary system, or not. These issues need to be clarified in the final EIR/EIS to allow our local community leaders to adequately take into account this potential effect on residents that live adjacent to the proposed HSTS track alignments.

Subchapter 3.9 addresses aesthetic and visual resource impacts. The analysis concludes (page 3.9-11) that "there are no potentially high aesthetic or visual impacts that could not be reduced or mitigated through design treatments". We do not concur with this conclusion and refer to the text immediately above which states (paraphrase): A typical double-track HST, at grade, would have 50 to 100 foot fenced right-of-way, and an elevated guideway would have a 50 foot right-of-way. Catenary supports would be six (6) feet high and would be located every 30 feet along both sides of the track to support the electric wires that supply power to the trains. Imposing such features, even in areas where existing rail corridors exist, would make a dramatic change in the visual setting and this change would be negative. Thus, we suggest that the aesthetic/visual impact of the proposed HST system would result in substantial and significant changes in the visual setting along the whole corridor where it is ultimately installed. Even in urban settings, such visual changes are permanent and more intrusive than at grade rail improvements. Further, in most cases the impacts of aesthetic mitigation measures, not considered in the EIR/EIS, may further degrade the visual setting (for example sound walls to control noise). Therefore, we suggest that this impact be identified as unavoidable and significant, not mitigable to a less than significant level.

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California High Speed Rail Authority
August 18, 2004

Finally, we comment on the project financing. The cost of constructing the HSTS system occurs mostly north of Los Angeles County, yet the burden of paying for the \$9.95 billion General Obligation bond that is envisioned will fall mostly on Southern California taxpayers. Similarly, the \$5 billion in federal matching funds assumed in the funding plan would mostly benefit the northern part of the State and likely reduce federal funding available for Southern California. This suggests that there is a serious imbalance between who benefits and who pays for the system that needs to be addressed in the funding plan.

Construction costs of the HST alternative are estimated at \$33 to \$37 billion, a portion of which is proposed to be financed through "existing airport user fees and passenger facility charges...local funds (from existing sources), and existing state transportation revenue sources (e.g., gas tax, sales tax on gasoline)." Even if the voters approve the high-speed rail general obligation bond in November, 2006, that leaves \$24 to \$28 billion additional funding that needs to be identified. The use of such existing local funds and state transportation revenue sources is of significant concern given more pressing unfunded transportation needs in the State's metropolitan areas. In most cases, these funding sources are already obligated for state and regional projects and would not be – nor should they be – available to help fund a statewide HST system.

A majority of the \$33 to \$37 billion cost of implementing the high-speed rail system would be financed through general obligation bonds and federal grants or loans. However, the potential impact this could have on future state and local funding needs for existing or planned infrastructure is not discussed; nor is the impact on federal, state and local funding sources addressed. The potential effects on availability of federal funds for other projects in the state or regions of the state requesting financial support must be addressed in the final document.

The Draft EIR/EIS alleges that the California HSTS would have operating revenues in excess of operations and maintenance costs. We do not concur. Virtually no public transportation system in the world (high-speed or not) that operates in competition with subsidized transportation systems and services as the HST would, is capable of covering operations and maintenance costs from project revenues. Similarly, virtually none are profitable using conventional accounting principles that include allowances for depreciation and replacement of capital plant and equipment. The same can be said for most airlines in most years. Given these facts, the projection of operating surpluses for the HST system seems

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California High Speed Rail Authority
August 18, 2004

improbable, and needs further analysis and corroboration before the fiscal impacts can be assessed. Moreover, it is not completely clear what numbers are being used to arrive at the profitability conclusion. This must be clearly spelled out in the final document.

In closing, it is recognized that even the thousands of pages produced in support of the EIR/EIS cannot provide detailed information on all components of the specific alignment. The comments submitted above are designed to highlight the local impact issues that we believe conflict with the overall conclusions in the EIR/EIS. It would be better to acknowledge these local effects as raising the level of potential impact to a significant level, rather than deferring such conclusions to the more detailed analyses in the future. We respectfully request that these locally significant impact issues for our communities, as well as others in the State, be acknowledged in the final EIR/EIS. This will set the stage for developing appropriate mitigation and budgeting adequate funds to allow implementation of the HSTS project in the future. Failure to integrate such mitigation and costs for implementing mitigation may result in severe underestimates in the cost of implementing the HST system in a timely and reasonable manner. Thank you in advance for your attention to the issues raised above and we look forward to your responses to our comments.

Sincerely,



Richard R. Powers
Executive Director

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**Response to Comments of Frederick W. Latham, City Manager, City of Santa Fe Springs, August 27, 2004
(Letter AL049)**

AL049-1

Acknowledged. See response to Comments AL036-1 through AL036-15.

Comment Letter AL050

AL050

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WAYNE K. TANDA
GENERAL MANAGER

CITY OF LOS ANGELES

CALIFORNIA

JAMES K. HAHN
MAYORDEPARTMENT OF
TRANSPORTATION
221 N. FIGUEROA ST., SUITE 500
LOS ANGELES, CA 90012
(213) 580-1177
FAX (213) 580-1188

August 24, 2004

Mehdi Morshed
Executive Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Morshed:

Re: Comments on the Draft Program Environmental Impact Report and Statement (PEIRS) for the Proposed California High-Speed Train System

The City of Los Angeles appreciates the opportunity to review and comment on the draft PEIRS for the proposed California High Speed Train (HST) system. The City commends the California High Speed Rail Authority (Authority) on its comprehensive approach to such an ambitious and historic project as the proposed HST. The Department of Transportation, as well as selected other City Departments, has conducted a review of the PEIRS with regard to its findings, and the implications of deployment of the proposed system. On August 18, 2004, the Los Angeles City Council approved, with amendments, the attached report (dated July 30, 2004) submitted to the City Council by the Los Angeles Department of Transportation.

The attached report generally supports the central finding of the PEIRS that the High Speed Train Alternative is the Preferred System Alternative among the three alternatives studied. In addition, the attached report describes, from the City's perspective, probable major benefits and concerns with the proposed system. The Final PEIRS, and subsequent "project-level" studies, should carefully address the City's concerns, both with regard to optimizing the benefits of the HST system for the City and mitigating environmental impacts.

As mentioned above, although, on August 18, 2004, the City Council approved the original report, the Council made the following amendments:

- 1) As described in the attached motion, that alternative corridors be examined, other

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than the San Fernando Road corridor, and that a full environmental impact analysis be conducted before finally selecting a preferred alternative. Furthermore, if the San Fernando Road Corridor is chosen as the preferred alternative, that this entire City of Los Angeles section be underground with the appropriate covering to protect the community (Padilla/Cardenas Motion); and

- 2) The City strongly prefers that the High Speed Train connect to Union Station. With regard to connection of HST to LAX airport, the Harbor Subdivision rail ROW should be considered as a preferred connection route (Miscikowski Motion); and
- 3) Alternatives should be studied, such as moving the Green Line light rail from the median of the I-105 to the Harbor Subdivision ROW, then deploying the HST in the I-105 ROW (LaBonge Motion).

AL050-2

AL050-3

Much has been accomplished in the decade since the legislature authorized the commencement of work on this initiative. As the "project-level" environmental studies begin, the City looks forward to a cooperative relationship with the Authority. With the potential of delivering high-speed, predictable and competitive intercity travel, the proposed HST system deserves our best efforts.

If you have any questions or need additional information, please contact Allyn Rifkin, of my staff, at (213) 580-1195.

Sincerely,

Wayne K. Tanda
Wayne K. Tanda
General Manager

Attachments - Amending Motion
Report to City Council, dated July 30, 2004

- c: Brian Williams, Deputy Mayor
Antonio Villaraigosa, Chair, Transportation Committee
Ron Deaton, Chief Legislative Analyst

ltr-hst.1

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Administration**

Comment Letter AL050 Continued


AMENDING MOTION ITEM #28

The communities of Sylmar and Pacoima, as well as other sections of the City, have experienced over the years a number of highway and rail projects splitting and separating communities. This is in addition to the increase in traffic, noise and other environmental concerns. The proposed High-Speed Rail system should not repeat the mistakes of the past.

I THEREFORE MOVE the City of Los Angeles through the Department of Transportation officially add the following comments in their communication to the current environmental review process as presented by the High Speed Rail Authority:


- 1) That alternative corridors be examined other than the San Fernando Road corridor and that a full environmental impact analysis be conducted before finally selecting a preferred alternative
- 2) That if the San Fernando Road Corridor is chosen as the preferred alternative, that the entire City of Los Angeles section be underground with the appropriate covering to protect the community.

PRESENTED BY:


Alex Padilla
Councilmember, 7th District

SECONDED BY:

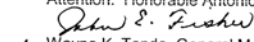



AUG 18 2004

CITY OF LOS ANGELES INTER-DEPARTMENTAL CORRESPONDENCE

Date: July 30, 2004

To: The Honorable City Council
c/o City Clerk, Room 395, City Hall
Attention: Honorable Antonio Villaraigosa, Transportation Committee

From: 
Wayne K. Tanda, General Manager
Department of Transportation

Subject: **RECOMMENDATIONS REGARDING CALIFORNIA HIGH SPEED TRAIN
DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT AND
STATEMENT (CF 03-1066-S1)**

SUMMARY

The Department of Transportation (LADOT) has prepared this report in response to a Council motion (see Attachment 1), adopted on March 23, 2004, which requested that LADOT report back to the Transportation Committee of the Los Angeles City Council with its analysis of the impacts of the proposed State of California High Speed Train (HST) network. This report represents proposed comments by the City of Los Angeles on the California High Speed Rail Authority's draft Program Environmental Impact Report and Statement (PEIRS). The California High Speed Rail Authority (Authority) is soliciting comments on the draft PEIRS, which are due by August 31, 2004.

It should be noted that, within the Southern California region, there is considerable overlap on many corridors between the proposed HST system and the Maglev system proposed by the Southern California Association of Governments. LADOT believes that the criteria for evaluating the proposed HST, as described in this report, should also apply to the proposed Maglev system.

RECOMMENDATIONS

- 1) Approve the comments provided in this report as the City's formal comments on the California High Speed Rail Authority's draft Program Environmental Impact Report. It is understood that the City will provide additional, and more detailed and specific, comments when the draft "project-level" environmental impact reports are prepared.

Comment Letter AL050 Continued

Honorable City Council

July 30, 2004

- 2) Authorize the General Manager of LADOT to transmit the comments contained in this report to the California High Speed Rail Authority as the City's formal comments to the draft Program Environmental Impact Report.

DISCUSSION

Background

The California High Speed Rail Authority has been evaluating and promoting the concept of high speed rail for inter-regional travel between the downtowns of San Francisco, Sacramento, Los Angeles and San Diego for about 10 years, with the objective of selecting a technology that would deliver predictable, competitively priced intercity travel. The proposed network would consist of a high-speed train system, utilizing electrically powered high speed steel-wheel on steel-rail technology, which would be capable of speeds in excess of 200 mph. The proposed train system would primarily utilize exclusive track, with small portions of the route on shared track with other passenger rail operations. The train track would be either at-grade, in an open trench or tunnel, or on an elevated guideway along the route, but always grade-separated with streets and highways crossing the selected alignment.

The cost to construct the entire system would be \$33-\$37 billion (2003 dollars). According to the Authority, upon completion in 2020, the proposed network would be approximately 700 miles long and would serve up to 68 million passengers annually, or about 186,000 passengers per day. The point-to-point travel time between downtown San Francisco and downtown Los Angeles would be closely competitive with commercial air travel (approximately 3 ½ hours). The PEIRS proposes several stations in the City of Los Angeles, including one at Union Station (or its vicinity), and at Sylmar and LAX.

The proposed HST system includes various alignment options. One of the alignment options, known as the "Southern Mountain Crossing" would take the proposed line through the Tehachapi Mountain Range between Los Angeles and Bakersfield via either a crossing through Palmdale and the Antelope Valley or along the I-5 corridor. In 1999, the Los Angeles City Council indicated its strong support for the Antelope Valley alignment option. Support for the Antelope Valley option was reaffirmed by the City Council in March 2004. Reasons for support of the Antelope Valley alignment include the fact that the Antelope Valley is one of the highest growth regions in California, and that connecting to Palmdale would facilitate the development of Palmdale Airport as a major regional airport.

-2-

Honorable City Council

July 30, 2004

Comments regarding the Recommendation in the PEIRS

The draft PEIRS compares and evaluates three alternatives, which are the No Project Alternative, the Modal Alternative and the proposed High Speed Train Alternative. The PEIRS does not contain a preferred alignment or specific station locations. The PEIRS describes the alternatives as follows:

- 1) **No Project Alternative** - represents the state's transportation system (highway, air, and conventional rail) as it existed in 1999-2000 and as it would be in 2020 with the addition of transportation projects currently programmed for implementation (already funded programs/financially constrained plans) according to the State Transportation Improvement Program (STIP), regional transportation plans (RTPs) for all modes of travel, airport improvement plans, and intercity passenger rail plans.
- 2) **Modal Alternative** - represents a set of hypothetical improvements (other than HST) representing a possible response to projected intercity travel demand that will not be met by the No Project Alternative.
- 3) **High Speed Train Alternative** - represents the proposed system and was developed considering a range of potential HST technologies, corridors, and alignment and station options within the corridors.

The draft PEIRS compares the above three alternative systems in broad environmental categories, which include:

- Traffic and Circulation
- Travel Conditions
- Air Quality
- Energy Use
- Land Use
- Visual Quality
- Noise
- Farmland
- Biological Resources and Wetlands
- Water Resources
- Cultural Resources
- Impacts on population and employment

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